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The Oaks at North Brunswick Condominium Association, Inc.

Order Filed on November 9, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

IN THE MATTER OF:

ALLEN MIDDLETON

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
JUDGE: CHRISTINE M. GRAVELLE
CASE NUMBER: 19-15753 CMG
CHAPTER 13
HEARING DATE: November 11, 2023

STIPULATION AND CONSENT ORDER RESOLVING
CREDITOR'S OBJECTION TO DEBTOR'S PROPOSED
MODIFIED CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two (2) through three (3), is hereby **GRANTED**.

DATED: November 9, 2023

A handwritten signature in black ink, appearing to read "Christine M. Gravelle".

Honorable Christine M. Gravelle
United States Bankruptcy Judge

THIS MATTER having come before the Court by the filing of a proposed modified Chapter 13 bankruptcy plan filed by debtor, Allen Middleton ("Debtor"), through his counsel; and creditor, The Oaks at North Brunswick Condominium Association, Inc. (the "Association") objecting thereto through counsel; and the parties seeking to amicably resolve the matter; and this Court having found that good and sufficient cause exists for the entry of this Consent Order:

IT IS HEREBY STIPULATED, AGREED AND ORDERED as follows:

1. Debtor acknowledges that the amount of post-petition condominium association assessments, late fees, attorneys' fees and costs through September 30, 2023 is \$12,847.00.

2. Debtor agrees to pay the amount of \$12,847.00 completely in full through the plan before paying the claims of any other creditors, except for administrative expenses. The trustee shall schedule this sum as a separate item to be paid in full through the plan.

3. Debtor agrees that the Association shall have the right to file a condominium lien against Debtor's real property with the county clerk's office every year as long as the aforesaid amount of \$12,847.00 remains unpaid.

4. The recording of the lien pertaining to the said amount of \$12,847.00 is contingent upon the Court's confirmation of Debtor's proposed modified plan over the objections of the Debtor's other creditors, if there are any.

5. Upon payment in full of the aforesaid amount of \$12,847.00 through the plan, the Association shall discharge any liens recorded with the county clerk's office.

6. The Clerk of this Court is authorized to take any and all actions necessary or appropriate to give effect to this Consent Order.

7. This Consent Order shall be binding on the parties hereto and their successors, representatives and/or assigns.

8. This Consent Order shall not affect the right of the Association to seek payment of attorneys' fees in the amount of \$3,090.50 for the period of November 4, 2022 to June 30, 2023 after the discharge of the case. Both parties preserve all rights and defenses to same as well.

9. This Consent Order shall not affect the rights of the Association to proceed with a lien or other collection efforts with respect to any assessments, late fees, attorneys' fees and costs that accrue on Debtor's account after September 30, 2023. Both parties preserve all rights and defenses to same as well.

10. The Bankruptcy Court retains jurisdiction with respect to all matters arising from or related to the interpretation, implementation and/or enforcement of this Consent Order.

The undersigned consent to the form, substance and entry of the within Order, and represent that they have authority to execute same.

HUESTON MCNULTY, P.C.
Attorneys for Creditor
The Oaks at North Brunswick
Condominium Association, Inc.

Anthony J. Chirles Jr.

By: _____

- Anthony J. Chirles Jr., Esq.

Date: October 31, 2023

RAYMOND AND RAYMOND
Attorneys for Debtor
Allen Middleton

By: _____
Kevin De Lyon, Esq.

Date:

10/31/23